

Message Text

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63/14

ORIGIN STR-08

INFO OCT-01 ISO-00 AGR-20 CEA-02 CIAE-00 COME-00 DODE-00

EB-11 FRB-02 H-03 INR-10 INT-08 L-03 LAB-06 NSAE-00

NSC-10 PA-04 RSC-01 AID-20 CIEP-02 SS-20 TAR-02

TRSE-00 USIA-15 PRS-01 SPC-03 OMB-01 IO-14 ARA-16

EUR-25 EA-11 /219 R

66604

DRAFTED BY STR:RMATTHEISEN

1/11/74

APPROVED BY EB/OT/TA:JWHOLMES

EB/TA:WTADAMS

EUR/RPE:RMEIMA

COMMERCE:WKRIST

TREASURY:CLEIGH

AGRICULTURE:RPLANK

EUR/RPE:AALBRECHT

----- 097007

R 120032Z JAN 74

FM SECSTATE WASHDC

TO AMEMBASSY BERN

AMEMBASSY BONN

AMEMBASSY BRUSSELS

USMISSION EC BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY HELSINKI

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY REYKJAVIK

AMEMBASSY ROME

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AMEMBASSY STOCKHOLM

AMEMBASSY VIENNA
INFO AMEMBASSY BELGRADE
AMEMBASSY BRASILIA
AMEMBASSY BUCHAREST
AMEMBASSY CANBERRA
USMISSION GENEVA
AMEMBASSY OTTAWA
AMEMBASSY PRAGUE
AMEMBASSY SEOUL
AMEMBASSY TOKYO
AMEMBASSY WARSAW

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C O R R E C T E D C O P Y (OMISSION LINE 6, PARA 4(A))

E.O. 11652: N/A

TAGS: ETRD, GATT, EFTA, EC

SUBJECT: EC/EFTA RULES OF ORIGIN

REF: GENEVA 6731

1. THIS TELEGRAM REFERS TO RULES OF ORIGIN WHICH APPLY TO
TRADE BETWEEN EC AND EACH OF EFTA COUNTRIES PLUS FINLAND.
SEPTTEL REFERS TO RULES OF ORIGIN WHICH APPLY TO INTRA-EFTA
TRADE.

2. US MISSION EC BRUSSELS IS REQUESTED TO DELIVER NOTE
ALONG FOLLOWING LINES TO EC COMMISSION; OTHER ACTION POSTS
SHOULD DELIVER NOTE TO HOST GOVERNMENTS. IN EACH CASE,
COPY OF NOTE SHOULD BE SENT TO US MISSION GENEVA FOR
DELIVERY TO GATT SECRETARIAT. ACTION POSTS IN EFTA
COUNTRIES AND FINLAND SHOULD MAKE CHANGES IN TEXT SET
FOURTH IN PARA 4 BELOW:

3. "BLANK PRESENTS ITS COMPLIMENTS TO BLANK AND HAS THE
HONOR TO REFER TO THE SET OF TRADE AGREEMENTS RECENTLY
CONCLUDED BETWEEN THE EUROPEAN COMMUNITIES AND
AUSTRIA, FINLAND, ICELAND, NORWAY, PORTUGAL, SWEDEN, AND
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SWITZERLAND. THESE AGREEMENTS, WHICH HAVE BEEN PRESENTED
AS FREE-TRADE AREAS UNDER GATT ARTICLE XXIV, CONTAIN
VIRTUALLY IDENTICAL RULES FOR DETERMINING WHETHER
INDIVIDUAL PRODUCTS ARE TO BE CONSIDERED AS ORIGINATING
WITHIN THE PARTIES AND THEREFORE ENTITLED TO PREFERENTIAL
TREATMENT WHEN EXPORTED FROM ONE PARTY TO ANOTHER."

"WHEN THE AGREEMENTS CONCLUDED BY AUSTRIA, ICELAND, PORTU-

GAL, SWEDEN, SWITZERLAND AND, LATER, NORWAY WERE EXAMINED IN GAT WORKING PARTIES LAST YEAR, THE UNITED STATES REPRESENTATIVE EXPLAINED WHY THE UNITED STATES GOVERNMENT CONSIDERED THE RULES OF ORIGIN CONTAINED THEREIN TO BE INCONSISTENT WITH THE PROVISIONS OF GATT AND WHY THEIR OPERATION WAS LIKELY TO NULLIFY OR IMPAIR BENEFITS ACCRUING TO THE UNITED STATES UNDER THE GENERAL AGREEMENT. SINCE THE WORKING PARTIES DID NOT CARRY OUT A DETAILED EXAMINATION OF THIS ISSUE, THE UNITED STATES REPRESENTATIVE INDICATED THAT THE UNITED STATES GOVERNMENT WOULD PROBABLY REVERT TO THE MATTER WHEN THE WORKING PARTY REPORTS WERE SUBMITTED TO THE GATT COUNCIL."

"IN THE COUNCIL, THE UNITED STATES PROPOSED THE ESTABLISHMENT OF A NEW WORKING PARTY TO CONSIDER RULES OF ORIGIN IN FREE-TRADE AREAS EXAMINED BY GATT WITH SPECIAL REFERENCE TO THE AGREEMENTS BETWEEN THE EUROPEAN COMMUNITIES AND THE SEVEN COUNTRIES ADHERING TO THE EFTA RULES OF TRADE. THIS PROPOSAL WAS NOT ADOPTED. THE UNITED STATES GOVERNMENT THEREFORE WISHES TO AVAIL ITSELF OF ITS RIGHT TO CONSULT WITH THE MEMBER STATES OF THE EUROPEAN COMMUNITIES AND THE EFTA COUNTRIES PURSUANT TO THE PROCEDURES OF GATT ARTICLE XXII:1 WITH RESPECT TO THE RULES OF ORIGIN CONTAINED IN THESE SEVEN AGREEMENTS. SINCE THE ORIGIN RULES ARE VIRTUALLY IDENTICAL, AND BEARING IN MIND THE PROCEDURES ADOPTED BY THE GATT CONTRACTING PARTIES IN THEIR DECISION OF NOVEMBER 10, 1958 RELATING TO CONSULTATIONS UNDER ARTICLE XXII, THE UNITED STATES GOVERNMENT PROPOSES THAT THESE CONSULTATIONS TAKE PLACE SIMULTANEOUSLY AT THE EARLIEST MUTUALLY CONVENIENT DATE".

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4. (A) REPLACE FIRST SENTENCE OF FIRST PARAGRAPH OF TEXT WITH:

"BLANK PRESENTS ITS COMPLIMENTS TO BLANK AND HAS THE HONOR TO REFER TO THE TRADE AGREEMENT RECENTLY CONCLUDED BETWEEN BLANK AND THE EUROPEAN COMMUNITIES AND TO THE SET OF SIMILAR AGREEMENTS BETWEEN THE COMMUNITY AND THE OTHER COUNTRIES ADHERING TO THE EFTA RULES OF TRADE.

(B) REPLACE THE SECOND SENTENCE OF THIRD PARAGRAPH OF TEXT WITH:

"THE UNITED STATES GOVERNMENT THEREFORE WISHES TO AVAIL ITSELF OF ITS RIGHT TO CONSULT WITH BLANK, THE OTHER COUNTRIES ADHERING TO THE EFTA RULES OF TRADE, AND THE

EUROPEAN COMMUNITIES PURSUANT TO THE PROCEDURES
OF GATT ARTICLE XXII:1 WITH RESPECT TO THE RULES OF
ORIGIN CONTAINED IN THESE SEVEN AGREEMENTS".

5. COMMENT: CONSIDERATIONS DISCUSSED REFTEL WERE USEFUL
IN CONSIDERING OUR TACTICAL APPROACH. IN VIEW NEED TO
ENSURE THAT ALL EC AND EFTA SIGNATORY PARTIES WILL BE
FORMALLY INVOLVED IN CONSULTATIONS, WE CONCLUDED IT
NECESSARY TO ADDRESS A REQUEST TO EACH.
RUSH

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Message Attributes

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